United Nations S/PV.6764

Security Council

Sixty-seventh year

Provisional

6764th meeting

Wednesday, 2 May 2012, 11.05 a.m.

New York

President:	Mr. Mehdiyev	(Azerbaijan)
Members:	China	Mr. Li Baodong
	Colombia	Mr. Osorio
	France	Mr. Briens
	Germany	Mr. Wittig
	Guatemala	Mr. Rosenthal
	India	Mr. Manjeev Singh Puri
	Morocco	Mr. Loulichki
	Pakistan	Mr. Tarar
	Portugal	Mr. Cabral
	Russian Federation	Mr. Churkin
	South Africa	Mr. Sangqu
	Togo	Mr. Menan
	United Kingdom of Great Britain and Northern Ireland	Mr. Parham
	United States of America	Ms. Rice

Agenda

Reports of the Secretary-General on the Sudan

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

12-32731 (E)

Please recycle

The meeting was called to order at 11.05 a.m.

Expression of thanks to the outgoing President

The President: As this is the first meeting of the Council for the month of May 2012, I should like to take this opportunity to pay tribute, on behalf of the Council, to Her Excellency Ambassador Susan Rice, Permanent Representative of the United States of America, for her service as President of the Security Council for the month of April 2012. I am sure I speak for all members of the Council in expressing deep appreciation to Ambassador Rice and her delegation for the great diplomatic skill with which they conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan

The President: In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representatives of South Sudan and the Sudan to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2012/279, which contains the text of a draft resolution submitted by France, Germany, South Africa, Togo, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:

Azerbaijan, China, Colombia, France, Germany, Guatemala, India, Morocco, Pakistan, Portugal, Russian Federation, South Africa, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: The draft resolution received 15 votes in favour. The draft resolution has been adopted unanimously as resolution 2046 (2012).

I shall now give the floor to those members of the Council who wish to make statements after the vote.

Ms. Rice (United States of America): Let me begin by congratulating you, Mr. President, on assuming the presidency of the Council and for your kind words about our stewardship last month. We very much look forward to working with you.

The United States welcomes today's adoption of resolution 2046 (2012), which underscores the Security Council's strong and unanimous support for the road map for peace between the Sudan and South Sudan, as laid out by the African Union Peace and Security Council.

The current conflict between the Sudan and South Sudan is on the verge becoming a full-scale and sustained war. It poses a clear and present threat to international peace and security. Both countries are on the brink of returning to the horrors of the past and threaten to take the entire region with them. To avoid untold devastation and suffering, the fighting must stop, and stop now.

This conflict did not begin last week, last month, or even last year. The tensions underlying this conflict have long roots, most recently in the unresolved issues of the Comprehensive Peace Agreement.

For months, the Security Council, the African Union, my Government and many others in the international community have sent strong warnings to the parties that they must resolve these issues peacefully. To date, the parties have both failed to do so. In the history of this conflict, there has been a long litany of promises made and promises broken, so as this resolution indicates, we will judge the parties by their actions, not simply their words. With this vote, the Council has clearly imposed tight deadlines for concrete action, in line with the African Union decision.

This Council, especially those members with particular influence, including my own, must continue to press both parties to implement the African Union road map by ending hostilities, ceasing cross-border attacks and movements, halting aerial bombardments, withdrawing all their forces from the border areas, including Abyei, activating the necessary border security mechanisms, and ending support to rebel groups working against the other State. It is also essential that both parties return at once to the negotiating table under the auspices of the African Union High-Level Implementation Panel to reach agreement on critical outstanding issues.

We support the plans of the African Union to travel to Khartoum and Juba in the coming days to begin the process. This is ultimately the only way that further conflict can be avoided. If the parties fail to take these steps promptly, the Council is united in its determination to hold both sides accountable. We stand ready to impose Chapter VII sanctions on either or both parties, as necessary.

Resolution 2046 (2012) also directs the Government of the Sudan and the Sudan People's Liberation Movement-North to return to the negotiating table to resolve the outstanding political and security issues that are substantially fuelling the current conflict, and it strongly urges the Government of the Sudan to accept the tripartite proposal and immediately allow urgently needed humanitarian access to all the affected areas of Southern Kordofan and Blue Nile states. If they do not, untold thousands more will die needlessly.

The United States welcomes the stated commitment of South Sudan to honour the road map of the African Union and to abide by the decisions of the Security Council. We welcome its announced intention and determination to pull its police forces out of Abyei. The Government of the Sudan should clarify its statement of today to indicate its acceptance of the African Union road map and without conditions.

The reports of the Sudan's continued deadly bombing campaign against South Sudan, documented again first hand on the front page of today's *Washington Post*, are deeply alarming and profoundly disturbing, especially following South Sudan's recent steps towards peace. The Government of the Sudan must immediately halt cross-border attacks, particularly the aerial bombardments that have killed scores of civilians. Equally, South Sudan should refrain from any retaliation, especially any additional cross-border attacks. The occupation of Heglig was illegal and unacceptable and must not be repeated.

Finally, the United States calls upon both parties to implement fully and without delay all elements of the African Union Peace and Security Council communiqué, starting with an immediate and unconditional ceasefire. If either or both parties fail to do so, the Council stands ready to act and to impose consequences.

Mr. Li Baodong (China) (*spoke in Chinese*): China has followed closely the situation in the Sudan and South Sudan, and has been deeply concerned over the recent deterioration of relations between the two countries. We hope that both countries will remain on the path of peace, put an immediate end to all hostilities and violence, fully respect each other's sovereignty and territorial integrity, and restore peace and stability along their borders as soon as possible. We hope that they shall fully implement the existing agreements in good faith, resolve the outstanding issues through dialogue and negotiations, and make joint efforts to forge good-neighbourly and friendly relations of equality, mutual trust and mutual benefit.

China has always maintained that the international community should take an objective, impartial and balanced position on the question of the Sudan and South Sudan, avoid taking sides or imposing unbalanced pressure on the parties, and refrain from interfering in the mediation efforts of the African Union and other organizations and countries of the region. We are always very cautious about the use or threat of sanctions.

In the meantime, China has always maintained that African issues should be resolved by Africans using African means. We commend and support the unremitting efforts of the African Union (AU) to promote the settlement of the issues between the Sudan and South Sudan, and welcome the road map adopted by the African Union in that regard. We hope that the Sudan and South Sudan will actively cooperate with the mediation efforts of the African Union and the international community, take practical steps to implement the AU road map, and seek an early and appropriate resolution of the relevant issues.

Taking the AU position and requests concerning the situation between the Sudan and South Sudan into account, China voted in favour of resolution 2046 (2012) a few moments ago. China will continue to play a positive and constructive role, alongside the international community, in promoting the proper resolution of issues between the Sudan and South Sudan.

Mr. Sangqu (South Africa): South Africa is gravely concerned about the escalating conflict between the Sudan and South Sudan. This escalation has seriously damaged relations between the two countries and brought them to the brink of war. It is clear that there can be no military option for resolving the outstanding issues and differences between the

Sudan and South Sudan. What is instead required is the political will on the part of the parties to complete negotiations and commit to the realization of two viable States living in peace and each respecting the sovereignty and territorial integrity of the other.

Pursuant to the achievement of that objective, the African Union (AU) Peace and Security Council recently met at the ministerial level and adopted a communiqué on 24 April that provides a clear road map calling on the parties to cease hostilities, commit to unconditionally resuming negotiations, and reach agreement on outstanding post-secession issues. In this regard, the AU Peace and Security Council called on the international community in general, and the Security Council in particular, to support and endorse this road map under Chapter VII of the Charter of the United Nations. That call was made to ensure that the parties would commit to the processes and agreements that they have already agreed and resolve outstanding issues, and that these measures can be applied only in support of a negotiated political solution to the conflict in the Sudan and South Sudan.

We are pleased that the Security Council has today been able to unanimously adopt resolution 2046 (2012), which we hope will add momentum to the AU's effort to assist the parties in extricating themselves from the logic of war and embark on a process of constructive negotiations within the time frames that have been set. We call on both parties to accept the AU road map and the resolution unconditionally, and to resume negotiations under the leadership of the AU without delay.

The onus now rests with the political leadership of the Sudan and South Sudan to resolve all outstanding issues, which should lead to the complete normalization of relations between the two countries and ensure that all the peoples of the Sudan and South Sudan can enjoy peace, dignity, democracy and development. We therefore urge them to seize the opportunity and fully comply with their obligations under the AU road map, so that they can give effect to their commitment never to return to war and resolve exclusively by peaceful means any differences that may arise.

Mr. Manjeev Singh Puri (India): Let me begin by congratulating you, Sir, and the delegation of Azerbaijan on assuming the presidency of the Security Council for the month of May. I would like to assure you of my delegation's full cooperation and support.

I would also like to thank the Permanent Representative of the United States and her delegation for their able stewardship of the Council during April.

Recent developments between the Sudan and South Sudan, including cross-border military operations and damage to economic infrastructure, particularly oil facilities, have caused us serious concern. These developments have the potential to threaten peace and stability and lead the two countries towards war. This will be a serious setback to the socio-economic and political issues — the effects of decades-long civil war — that the country has to overcome. There is therefore an urgent need to avoid war and to peacefully resolve the outstanding issues related to the Comprehensive Peace Agreement (CPA) through political dialogue and negotiations.

The African Union's High-level Implementation Panel (AUHIP), led by President Thabo Mbeki, has been facilitating dialogue between the Sudan and South Sudan for a few years now. In its briefings to the Security Council the Panel has outlined realistic frameworks that it has developed for resolving various outstanding CPA issues. Serious negotiations based on those frameworks can help the two countries not only to resolve those issues but also to build an enduring relationship based on mutual cooperation and respect for their independence, unity and territorial integrity.

India has consistently supported the AUHIP in its efforts to facilitate negotiations between the Sudan and South Sudan and a resolution of all the outstanding issues, so that they can develop into two viable and politically stable States, at peace with each other. Our vote in favour of resolution 2046 (2012) today is an expression of our support for the efforts of the AUHIP and in line with the request contained in the African Union communiqué of 24 April. We hope that the resolution's adoption will strengthen the efforts of the AUHIP to facilitate and negotiate a settlement of all outstanding issues. We urge the two countries to end all hostilities between their military forces, as well as those by the various armed groups operating in the region, and to resume negotiations without delay under AUHIP auspices.

Mr. Wittig (Germany): Germany voted in favour of resolution 2046 (2012), which we also co-sponsored. With the resolution, adopted under Chapter VII of the

United Nations Charter and imposing binding obligations on the Sudan and South Sudan, the Council is sending a clear and unequivocal message. Recent months have brought the two countries to the brink of all-out war. We have had to witness the events in Abyei, the conflict in South Kordofan and Blue Nile, a dispute about borders and oil, aerial bombardments, the establishment of the Sudan Revolutionary Front and, most recently, events in and around Heglig.

The Council's primary responsibility is to maintain international peace and security. With the adoption of resolution 2046 (2012), it is reacting in an appropriate and timely way to a clear threat to that international peace and security. Furthermore, the Council is lending its support to the communiqué and road map of the African Union, as the competent regional organization. Germany strongly supports the African Union's initiative and its leadership role in the Sudan and South Sudan.

Resolution 2046 (2012) provides an opportunity for those countries to return to peaceful, responsible and mutually beneficial relations. It now falls to the Governments in Khartoum and Juba to seize this opportunity for the sake of their peoples. The Security Council should and will closely monitor the situation and the parties' compliance with the obligations contained in the resolution.

Mr. Churkin (Russian Federation) (*spoke in Russian*): The Russian Federation voted today to adopt resolution 2046 (2012) in view of the need to deal speedily with the dangerous state of relations between the Sudan and South Sudan. We proceeded from the opinion that the text aims to support the road map, adopted on 24 April by the Peace and Security Council of the African Union, for regulating the crisis between the two States.

It is well known that Russia is firmly in favour of solving African problems by relying on the positions and assessments of the countries of the continent themselves and their regional organizations. Our concerns, however, were only partially reflected in the text of the resolution. We have been compelled to conclude that the disagreements between the Sudan and South Sudan came close to a major military conflict after the recent occupation by South Sudanese troops of the Heglig oil-producing region. According to the information available, the oil infrastructure of that region, which is vitally important to the economy of the Sudan, was either destroyed or rendered inoperable by that occupation. In that context, the language in the resolution welcoming the South Sudanese army's withdrawal from Heglig seems inappropriate. We believe that an assessment should be made of the damage done during the occupation and a fair level of compensation specified.

It is also intolerable that thousands of armed units from the so-called Sudanese Revolutionary Front are pursuing their destabilizing activities in the Sudanese states of Southern Kordofan and Blue Nile with the aim of violently overthrowing the Government in Khartoum. There is reason to believe that this new insurgent alliance has major external support. In this connection, we are convinced that any possible future measures to be taken by the Security Council under paragraph 6 of today's resolution cannot be applied to those aspects that touch on the issue of regulating the situation in the aforementioned Sudanese states.

Concerning possible future steps to be taken by the Council regarding the crisis in relations between the Sudan and South Sudan, we wish to emphasize that the arsenal of political and diplomatic tools for normalizing the situation is far from exhausted. We consider the sanctions route to be an extreme step for influencing both parties, and the effectiveness and specificity of any such sanctions should be carefully evaluated.

In light of this, Russia intends to carefully and objectively weigh the implications of Article 41 of the Charter of the United Nations in evaluating the implementation by the Sudan and South Sudan of the road map settlement. We believe that the African Union and its High-Level Implementation Panel, led by the former President of South Africa, Mr. Thabo Mbeki, should continue their active efforts to mediate and remain the chief mechanism for normalizing relations between the two countries. We urge the Sudan and South Sudan to renew the negotiation process and solve all the disputed issues by peaceful means.

Mr. Osorio (Colombia) (*spoke in Spanish*): Over the past few weeks, we have witnessed with great concern the gradual deterioration of relations between the Sudan and South Sudan as a result of a spiralling confrontation that has continued to grow and that reflects a lack of mutual trust and the inability of either party to resolve their differences through dialogue and negotiation. It is truly regrettable that the first steps of

the newborn Republic of South Sudan should be on the path of war and hostility rather than that of cooperation, reconciliation and joint efforts with its neighbour in seeking development and prosperity. Colombia is convinced that the use of peaceful means and strict compliance with international law are the only way to resolve the disputes between these States, alongside the significant role played by regional organizations in maintaining international peace and security.

My country voted in favour of resolution 2046 (2012) in order to signal our firm and complete support for the road map and the other measures adopted by the Peace and Security Council of the African Union in its 24 April communiqué, which established concrete steps to be taken by both countries in order to end hostilities, reduce tensions, return to a path of dialogue and negotiation, and focus on a definitive resolution of the outstanding issues. It is crucial that both parties return to the spirit of compromise and political will that made the signing of the Comprehensive Peace Agreement possible and that would make both accountable to their citizens in terms of peace and compliance with the timeline for implementing the steps set out in the African Union's communiqué and resolution 2046 (2012).

With the adoption of that resolution, the Council has not only responded to the African Union's requests but also clearly signalled its firm determination to prevent a further deterioration of the situation. It is crucial that we have the cooperation of the authorities in both countries; we need genuine signs of commitment from them, reflected in concrete steps for tackling the problems of both sides, particularly in the area of security.

The Sudan and South Sudan must build a relationship on the basis of cooperation in which the viability, security and prosperity of both States are the fundamental principles of their peaceful coexistence. That will require both States to refrain from the use of force; to respect the sovereignty, independence, territorial integrity and unity of the others; and to conduct their relations in accordance with the principles of good-neighbourliness, non-interference in internal affairs and regional cooperation.

Both States must undertake to end any kind of direct or indirect support to armed groups on the territory of the other side, which is now happening. They must immediately end aerial bombardments in the border area, fully implement the agreements of 20, 29 and 30 July, and agree to cooperate with the African Union High-level Implementation Panel on recommendations on the Sudan in order to advance substantive negotiations on the four areas set out in the resolution and the African Union communiqué with the support of the Chairman of the Intergovernmental Authority on Development.

Colombia believes that, with the adoption of resolution 2046 (2012), the Council has taken decisive action in support of the African Union forces in the face of an opportunity to restore peace. We trust that the authorities of the Sudan and South Sudan will respond with the responsibility warranted by the current circumstances.

Mr. Briens (France) (*spoke in French*): France welcomes the adoption of resolution 2046 (2012). In the past few weeks, the African Union has done its utmost not only to prevent an escalation of the current conflict between the Sudan and South Sudan, but also to enable the rapid resumption of negotiations between the two States, under the auspices of President Mbeki, on issues of the 2005 Comprehensive Peace Agreement that are still pending.

In that context, the African Union Peace and Security Council, meeting at the ministerial level, adopted a plan of action for the Sudan and South Sudan to emerge from the crisis that establishes clear deadlines. The African Union then turned to the Council to endorse the plan.

All Security Council members unanimously agreed that the Security Council had to respond to that request. Thanks to today's vote, the action plan now has the authority of a Chapter VII resolution, as the African Union wanted. With the resolution, the Security Council underscores that it expects the Sudan and South Sudan to immediately end hostilities, to set up a demilitarized zone along their common border, and to withdraw their troops from the disputed region of Abyei. The Sudan and South Sudan must rapidly return to the negotiating table so that outstanding issues of the Comprehensive Peace Agreement can be settled within three months.

As all Council members wanted, the resolution thus provides a clear way out of the crisis. It is now up to the Sudanese parties to immediately implement the demands of the Security Council.

Mr. Menan (Togo) (*spoke in French*): I would like first of all to congratulate you, Sir, and the delegation of Azerbaijan on your country's assumption of the presidency of the Security Council for the current month. I wish you great success in executing the Council's work. I would also like to reiterate my warm thanks to Ambassador Susan Rice and the United States delegation on their very remarkable work at the head of the Council for the past month, which was very busy.

Togo welcomes today's adoption of resolution 2046 (2012) on the situation between the Sudan and South Sudan, which stipulates urgent measures to restore lasting peace and security to both brotherly countries. Indeed, after several Council statements, following the escalating violence seen recently in the relations between the Sudan and South Sudan and the communiqué on the African Union Peace and Security Council decision ordering both countries to seek a peaceful solution to the issues dividing them, it was urgent that the Council adopt a firm position in the light of that situation, which threatens peace and security in the region.

My country believes that the various disputes between the Sudan and South Sudan can be viably resolved only through dialogue and negotiation. The Security Council has just indicated exactly that path to both countries by supporting the road map proposed by the African Union.

Togo welcomes the decision of South Sudan to withdraw its troops from Heglig, as it also committed to do with regard to Abyei. My country urges the Republic of the Sudan to do the same and to stop the aerial bombardments. Togo urges both countries to resume negotiations in a peaceful and calm climate under the auspices of the African Union High-level Implementation Panel chaired by President Mbeki, with the support of the Chairman of the Intergovernmental Authority on Development.

My country remains convinced that such a path of negotiation remains the only way to achieve a lasting settlement of such vital issues as oil, the status of nationals of both countries, the status of the border areas and the demarcation and the final status of Abyei. That is why Togo once again calls on the Sudan and South Sudan to spare no effort in abstaining from confrontation and to undertake negotiations in good faith in order to resolve the issues dividing them, in accordance with the African Union road map.

Mr. Loulichki (Morocco) (*spoke in Arabic*): At the outset, I would like to congratulate you, Sir, and all members of the brotherly Mission of Azerbaijan on your assumption of the presidency of the Security Council for this month. We are fully ready to cooperate with you. I would also like to thank Ambassador Susan Rice and the United States Mission for their presidency last month, which was very successful and positive.

The Kingdom of Morocco voted in favour of resolution 2046 (2012), which urges the Governments of the Sudan and South Sudan to immediately cease all confrontation, to undertake to implement all previous agreements, and to respect each other's sovereignty and territorial integrity.

In that regard, the Kingdom of Morocco appreciates the decision of the Government of the Sudan to settle outstanding issues between the two countries. Deeply convinced of the need to abjure force in interactions between countries, in accordance with the Charter of the United Nations, the Kingdom of Morocco believes that at this stage it is absolutely crucial to give priority to dialogue and negotiations and to encourage both parties not to support rebel groups that undermine the territorial integrity of the other side. We would also call on international partners and mediators of both countries to resolve pending issues and to implement the Comprehensive Peace Agreement. That would restore trust between the two neighbours and contribute to a shared future of coexistence, cooperation and solidarity.

Here, I reaffirm Morocco's long-standing position in favour of the principle of dialogue and negotiation. We also believe in sanctions only when they are absolutely necessary. Thus, in accordance with the resolutions of the League of Arab States and the Security Council, I cite the Arab League resolution adopted on 26 April, which firmly condemns the attack on Heglig, calls for respect for the sovereignty and territorial integrity of the Sudan, also calls on the two parties to settle the problems between them through negotiation, and reiterates the League's readiness to help the African mediation efforts. Furthermore, in the resolution the Arab League proposes the establishment of a commission of inquiry to assess the damage caused by the attack on Heglig.

Mr. Parham (United Kingdom): First of all, I would like to congratulate you, Mr. President, on assuming the presidency. You can be sure of our full support during this month. I also offer many thanks and congratulations to Ambassador Rice and the United States delegation on their successful presidency in April.

In recent weeks, the Council has expressed its deep and growing alarm at the escalating conflict between the Sudan and South Sudan, including troop movements, seizure of territory, support to proxy forces and aerial bombardments — a situation that the Council has rightly characterized as a threat to international peace and security.

With the adoption of resolution 2046 (2012), the Council has demonstrated its determination that the conflict must end. It has given its full support to the African Union road map of 24 April. With the full weight of its authority under Chapter VII of the Charter of the United Nations, it has created binding obligations on both the Sudan and South Sudan to cease fire and follow the path laid down by the African Union towards the restoration of a comprehensive, just and lasting peace between their two countries.

The adoption of resolution 2046 (2012) also means that both the Government of the Sudan and the Sudan People's Liberation Movement-North (SPLM-N) have binding obligations to resolve the conflict in the Sudan's Blue Nile and Southern Kordofan states, which has cost its people so highly in suffering and displacement.

As resolution 2046 (2012) makes very clear, the Sudan, South Sudan and the SPLM-N must meet in full their obligations set out in the resolution or face the consequences of non-compliance. The United Kingdom hopes that, with the adoption of resolution 2046 (2012), the Sudan and South Sudan will choose the peace, stability and prosperity that their people so desperately need and deserve.

The African Union High-level Implementation Panel, supported by the Security Council, has made clear that it stands ready to help them make that choice and to make it binding for generations to come. The United Kingdom expresses its deep gratitude to the Panel for its work and looks forward to a better future for all the people of the Sudan and South Sudan.

Mr. Tarar (Pakistan): Allow me to begin by reiterating our congratulations to you and your delegation, Mr. President, on assuming the presidency of the Security Council this month, as well as our appreciation to Ambassador Rice and the United States delegation for their work in leading the Council last month.

The deterioration of the situation between the Sudan and South Sudan in recent weeks and months has been a serious cause of concern. The situation assumed grave proportions with the occupation of Heglig. It was therefore urgent for the international community to play its role in preventing further escalation and to encourage both countries to revert to the path of dialogue and peace. It is right for the Council to act in support of the efforts led by the African Union (AU), and we are glad at the unanimous adoption of resolution 2046 (2012) today.

Pakistan voted in favour of the resolution as an expression of support for the efforts of the African Union towards resolving all outstanding and contentious issues between the Sudan and South Sudan, as well as to respond to the call for support from the African Union Peace and Security Council, in line with its communiqué of 24 April. We have always supported and will continue to support the efforts of the AU. Our principled support is based upon the recognition of the centrality of the role of the AU in resolving issues pertaining to Africa.

Our words are matched by our actions. Pakistan's deep and historical commitment to peace and security in Africa is evident from our continuing role in conflict resolution and peacebuilding efforts on the continent and in peacekeeping missions. We believe that the Security Council should play a constructive role in addressing the situation between the Sudan and South Sudan, and stand united behind the AU towards achieving peace and stability in the region.

The overall objective remains the peaceful settlement of the situation. The Council should be cautious about the threat or use of sanctions. However, we regret that, despite the clear message of the AU Peace and Security Council, some Council members chose to take a course that runs the risk of creating fissures in the Council. We regret that several proposals that were clearly in line with the communiqué of the African Union Peace and Security Council were not accommodated in the draft resolution, and that the communiqué was selectively read and applied.

The Council needs to be transparent and consistent, both in terms of its support for the actions of the AU with regard to situations on the African continent and in its response to calls for support in specific situations. The tendency to selectively respond to the AU based upon narrow political calculus and expediency will undermine not only the work of the AU but also the goal of peace and security on the continent.

We reiterate our support for the AU and the excellent work being done by the AU High-level Implementation Panel under the leadership of President Mbeki. We hope that today's resolution will advance the goals of peace and stability in both the Sudan and South Sudan. We call on both friendly countries to assume their responsibilities, fulfil their commitments and help us help them to find a peaceful resolution of all issues in the spirit of good-neighbourliness, mutual respect, non-interference and full respect for their sovereignty and territorial integrity.

Mr. Rosenthal (Guatemala) (*spoke in Spanish*): Guatemala joins the consensus in favour of resolution 2046 (2012). For months now, we have noted with growing alarm the collision course taken by the Sudan and South Sudan, in violation of the spirit and the letter of the Comprehensive Peace Agreement signed by both countries. We are convinced that both parties have their share of responsibility in the succession of irrational actions that have been taken to the detriment of the interests of both parties and that presage an increasing risk of the resumption of an armed conflict that we had thought to have ended in July 2011.

In voting in favour the resolution, we were not only responding to the appeal that has been made by the African Union, but also fulfilling the role assigned to us by the Charter of the United Nations, since no one can deny that international peace and security are in jeopardy. We trust that, with the adoption of today's resolution, peace between the Sudan and South Sudan will embrace the new opportunity to implement all elements of the Comprehensive Peace Agreement.

We welcome the fact that the Security Council has again joined the African Union and its road map for peace between the Sudan and South Sudan. That makes it possible for us to support the peoples and the Governments of the Sudan and of South Sudan in the process of achieving a firm and lasting peace within a framework of cooperation between both countries.

Mr. Cabral (Portugal): I, too, would like to congratulate you, Sir, on assuming the presidency and to assure you of our full cooperation. I thank Ambassador Susan Rice and all of the American delegation for a most successful presidency.

Portugal is extremely concerned about the situation in the Sudan and South Sudan. We supported and voted in favour of resolution 2046 (2012), fully convinced that the Council has the essential responsibility to react to and to act under these circumstances and following the decisions taken by the African Union Peace and Security Council on 24 April. We urge both parties sitting at this table with us today to respond favourably and immediately to the demands of the Council and of the African Union and fulfil the requirements contained in resolution 2046 (2012), namely, the ceasing of all hostilities and the return to negotiations under the auspices of the African Union High-level Implementation Panel.

We would also like to underline the importance we attach to paragraphs 4 and 7 of the resolution, on issues of humanitarian assistance and on the promotion and protection of human rights.

Mr. Mehdiyev (Azerbaijan): I shall now make a statement in my capacity as the representative of Azerbaijan.

Azerbaijan voted in favour of resolution 2046 (2012), with the understanding that it would contribute to a ceasing of all hostilities, easing the current tension between the Sudan and South Sudan, facilitating the resumption of negotiations between the two States on the outstanding issues from the Comprehensive Peace Agreement and normalizing their relations. We take note of the Security Council's deep commitment to seeing the Sudan and South Sudan become two economically prosperous States living side by side in peace, security and stability.

Azerbaijan supports the efforts of the African Union and its High-level Implementation Panel. It is essential that the resolution just adopted is mostly based on the decision of the African Union Peace and Security Council of 24 April 2012. It is important that the resolution reaffirms the strong commitment of the Security Council to the sovereignty, independence, unity and territorial integrity of the Sudan and South Sudan, and that it recalls the importance of the principles of the peaceful settlement of international

disputes, good-neighbourliness, non-interference and regional cooperation.

By condemning the repeated incidents of cross-border violence between the two States, in particular the seizure and military occupation of Heglig in the Sudan and the support of proxy forces and armed groups, the Security Council reaffirmed, inter alia, the well-established principle of the inadmissibility of the use of force for the acquisition of territory and made it clear that such actions are illegal, unacceptable and cannot be justified under any circumstances.

Azerbaijan welcomes the developments that resulted in putting an end to the occupation of Heglig and stressed the importance of addressing all of the consequences of that internationally wrongful act. In that context, additional steps should be taken to address the call of the Council for an impartial fact-finding effort to assess the losses and the economic and humanitarian damage, including to oil facilities and other key infrastructure, in and around Heglig.

The Security Council stresses that there can be no military solution to the conflict in Southern Kordofan and Blue Nile states. That clear message, inter alia, discourages the activity of rebel groups in those states and any external support for them. Such measures and the increased attention supported by the Security Council under the resolution it has just adopted acquire particular significance with a view to ending the violence and preventing serious violations of the principles and purposes of the United Nations Charter.

I now resume my functions as President of the Council.

I now give the floor to the representative of South Sudan.

Mr. Deng Alor Kuol (South Sudan): First, I would like to congratulate the representative of Azerbaijan on his assumption of the presidency of the Security Council for the month of May.

I would like to take this opportunity to express appreciation for the Security Council's prompt response to the request of the African Union (AU) to adopt and reinforce the decision of 24 April 2012 of the AU Peace and Security Council on the Sudan and South Sudan. On behalf of my Government, I would like to formally express my appreciation for the adoption of resolution 2046 (2012) and state our solemn commitment to comply with its mandated provisions.

It is my privilege to reaffirm that, in compliance with the decisions of the African Union Peace and Security Council and the Security Council's presidential statement, and in the spirit of our commitment to peace, my Government ordered the withdrawal of our police force from the Abyei area on 28 April 2012. We expect the international community to exert efforts to ensure the immediate and complete withdrawal of the Sudan Armed Forces from the Abyei area.

As acknowledged formally by the African Union, my Government is already committed to the cessation of hostilities and the resumption of negotiations under the auspices of the African Union High-level Implementation Panel (AUHIP). We welcome the decision of the African Union Peace and Security Council and the commitment of the United Nations Security Council to the enhancement of the AUHIP-led negotiations process through the active participation of the United Nations, the Chairman of the Intergovernmental Authority on Development and other international partners.

We appeal to the United Nations and its Member States to urgently mobilize humanitarian assistance for the population affected by the Sudan's continuous aerial bombardments and ground incursions in the northern states of South Sudan, as well as for those tens of thousands of civilians displaced by the Sudan Armed Forces' invasion and occupation of the Abyei area in May 2011.

Once again, we would like to thank the Security Council for the adoption of this resolution and to reinstate our commitment to compliance with its provisions.

The President: I now give the floor to the representative of the Sudan.

Mr. Osman (Sudan) (*spoke in Arabic*): Mr. President, allow me to extend to you our sincere congratulations on your assumption of the presidency of the Council for this month. Since your accession to the presidency, you have demonstrated outstanding skills and shown that your impartiality is unquestionable. You stand by the values of right and justice, which are qualities needed by the international community to achieve and maintain international peace and security. We commend you and wish you success.

By the same token, I would like to commend all of the members of the Security Council who insisted that resolution 2046 (2012) contain a condemnation of the attack and aggression on Heglig and of the actions of the South Sudanese armed forces, which were described as an act of aggression, a violation of State sovereignty and an encroachment upon its territorial integrity, all of which run counter to the Charter of the United Nations and to all of the international standards that regulate relations among States. We also wish to thank those members once again for having taken a stand and rightly called for an investigation and fact-finding mission with regard to the considerable destruction caused by the Sudan People's Liberation Movement-North (SPLM-N) in Heglig.

The delegation of the Sudan would like to commend the role of the African Union (AU) in the maintenance of regional peace and security. The efforts it has made and the agreements reached at Abuja and at Doha with regard to Darfur are a case in point. In that connection, the statement made by the AU Peace and Security Council can only strengthen confidence in the ability of the AU High-level Implementation Panel, under the chairmanship of President Mbeki, to settle the outstanding issues between the Republic of the Sudan and South Sudan. We are confident that the Panel will continue to submit its reports to the AU Commission, and we reiterate the need to keep the process of conflict settlement within the African continent and under the care and leadership of Mr. Mbeki.

Against that background, our national responsibility for ensuring that peace takes root in the country and our regional and international responsibility to contribute to the maintenance of international peace and security require us to make the following observations.

First, peace between the two Republics — the Sudan and South Sudan — will be achieved only if there is an end to all forms of support for, and the sheltering of, proxy rebel and armed groups by South Sudan. In that connection, it is noteworthy that resolution 2046 (2012, which has just been adopted, does not specify a time frame for the resolution of this issue, in contrast to the deadlines instituted in relation to other issues, which we deem too narrow and impracticable.

Secondly, it should be noted that the resolution disregards the continuous acts of aggression perpetrated by South Sudan against the Sudan. A case in point involves the declarations made by senior officials of South Sudan, who threaten to reoccupy Heglig. The presence of the ninth and tenth battalions of the SPLM-N inside the territory of the Sudan and the two states of Southern Kordofan and Blue Nile are a clear indication of an encroachment upon the inviolability of the territorial integrity of the Sudan.

Thirdly, with regard to aerial bombardment, we would like to recall the need for increased accuracy, given the presence of armed forces from South Sudan inside the territory of the Sudan, as we detailed in our letter to the Council on 28 April.

In that connection, I should like also to state that the Sudanese armed forces and air force did not bomb any areas inside South Sudan, despite the fact that it is our right to use all military means at our disposal inside our territory to repulse any aggression, including the use of aerial forces. No law bans the use of this option to protect the territory of a country that is endangered.

Fourthly, in conformity with the aforementioned statement, we are of the view that security issues between the two countries should be given paramount priority in negotiations as a means to discuss other relevant issues. Those issues must be discussed at the start of negotiations.

Fifthly, we would like to state that the resolution includes under Chapter VII the issue of the two states of Southern Kordofan and Blue Nile, despite the fact that the African Union Peace and Security Council did not request that they be included under that Chapter and even though the Peace and Security Council's statement put them outside the road map whose adoption was called for under Chapter VII.

(*spoke in English*)

The road map is contained in paragraph 13 of the communiqué issued by the African Union Peace and Security Council, which requested the Security Council to endorse the road map.

(*spoke in Arabic*)

Finally, the resolution contains a threat of resort to measures under Article 41 of the Charter. The AU Peace and Security Council did not request that either;

we did not see that in its statement. Any oral allegation should be verified, and the Security Council should also verify the credibility of the party making such an allegation. We therefore have reservations as concerns all of the foregoing.

In conclusion, we would state once again that our policy is based on respect for the sovereignty of States and the non-violation of the sanctity of their territory.

The President: The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The Security Council will remain seized of the matter.

The meeting rose at 12.10 p.m.